

LAW OFFICES
MADDEN & MADDEN

MICHAEL P. MADDEN ■
PATRICK J. MADDEN¹
JOHN-PAUL MADDEN*
MATTHEW P. MADDEN
MICHAEL V. MADDEN*
TIMOTHY R. BIEG*
REGINA M. PHILLIPS*
MARK W. STRASLE*

A PROFESSIONAL CORPORATION
108 KINGS HIGHWAY EAST, SUITE 200
P.O. BOX 210
HADDONFIELD, NEW JERSEY 08033-0380
TELEPHONE 856-428-9520 | FACSIMILE 856-428-7335
WWW.MADDENMADDEN.COM

JAMES J. MADDEN
OF COUNSEL

October 27, 2020

■ RULE 1:40 QUALIFIED MEDIATOR
1 CERTIFIED BY THE SUPREME COURT
OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY
* MEMBER OF NJ AND PA BAR

Via ECF

Honorable Joel Schneider, U.S.M.J.
United States District Court, District of New Jersey Camden
Mitchell H. Cohen U.S. Courthouse, Room 2060
1 John F. Gerry Plaza, 4th & Cooper Sts.
Camden, NJ 08101

RE: Bret Mueller v. Borough of Oaklyn, et al.
Civil Action No. 1:19-cv-16694-JHR/JS

Dear Magistrate Judge Schneider:

As Your Honor may recall, this office represents defendants, Borough of Oaklyn, the Oaklyn Police Department, Lt. Craig Stauts and Chief Marquis Moore (hereinafter “defendants”) with respect to the above captioned matter. On May 11, 2020, Your Honor entered an Order extending fact discovery to November 30, 2020. At the time discovery was extended by the Court, plaintiff’s responses to defendants’ interrogatories and request for production of documents were long overdue. However, additional time was provided to allow plaintiff an opportunity to respond to defendants’ requested discovery.

Notwithstanding the extension of discovery by the Court, plaintiff has failed to respond to defendants’ discovery requests. My office followed up with plaintiff’s counsel on July 1, 2020, after counsel indicated in May 2020 that plaintiff’s discovery responses would be provided within the next thirty (30) days. Following multiple emails throughout August 2020, I was able to speak with plaintiff’s counsel on August 24, 2020. At that time, I provided counsel with an additional thirty (30) days to provide discovery responses. Plaintiff’s counsel also indicated that he would forward to my office discovery requests to be answered by the defendants. Notwithstanding our telephone conversation on August 24, 2020, plaintiff failed to provide responses to discovery or discovery requests to be answered by the defendants.

I followed up with plaintiff’s counsel on September 24, 2020 and again on October 7, 2020. However, to date, plaintiff has failed to respond to defendants’ requests for discovery.

In accordance with Local Civil Rule 37.1, the undersigned respectfully requests that this Court schedule a telephone conference to discuss these discovery issues. Due to plaintiff’s failure to provide discovery responses, no depositions have been scheduled to date and defendants have

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been prejudiced in their defense of plaintiff's claims. A telephone management conference is currently scheduled before Your Honor on November 20, 2020. However, the undersigned respectfully requests that a telephone conference be scheduled prior to that date so that these outstanding discovery issues can be addressed.

Thank you very much for Your Honor's consideration and courtesies herein.

Respectfully submitted,

MADDEN & MADDEN, P.A.


/s/ Michael V. Madden

Michael V. Madden, Esquire

MVM:da

cc: Robert C. Drake, Esquire – via ECF
Brian E. Kasper, Esquire – via ECF
Matthew Yost – Summit Risk Services
Cheryle Little, AmeriHealth Casualty – via email
Timothy J. Higgins, Esquire – via email
Bonnie L. Taft, Municipal Clerk, Administrator, CFO – via email
Chief Marquis Moore – via email
Lt. Chris Stauts – via email

- PLAINTIFF IS ORDERED
to respond to defendants'
discovery by
November 12, 2020. If a
response is not timely
served the issue will
be addressed during
the upcoming
Conference Call.

So Ordered this 28th day
of October, 2020

JOEL SCHNEIDER, USMJ